meant for the execution of decrees these expenses are met out of the head "Copying Charges". I request that the amount may be sanctioned.

Demand put and carried

16. Rs. 6,382—8—0—Under "7—Excise—Refunds"

Mr. M. Raman Menon *(Commissioner of Excise):* Sir, I beg to move for an additional allotment of Rs. 6,382—8—0 under "7—Excise—Refunds". Of this amount Rs. 5,062—8—0 is for the refund of duty collected upon salt jettisoned by the Bombay Contractor during transport from Bombay and Rs. 1,320 is for refund of the rebate allowed to the Tata Oil Mills upon salt used for the manufacture of soaps. Government have sanctioned a rebate of duty at 8 annas per maund from the beginning of 1116 onwards. The company after the execution of the bond and agreement was able to take salt at the concession rate only with effect from 20th Vrischigam 1116. A total quantity of 2,640 maunds of salt had been used by the company till that date. They are therefore entitled to a refund of duty on this quantity to the extent of the rebate allowed. I request that the House may be pleased to grant this amount.

Mr. V. J. Mathai *(Planters):* Just on a point of information, Sir, what were the circumstances under which the jettisoning was made?

Mr. M. Raman Menon *(Commissioner of Excise):* Owing to rough weather salt had to be jettisoned.

Demand put and carried

LEGISLATIVE BUSINESS

1. The Cochin Code of Civil Procedure (Amendment) Bill

Mr. M. Sivarama Menon *(Advocate-General):* Sir, I beg to move that the Cochin Code of Civil Procedure (Amendment) Bill be read in Council. This is an absolutely non-controversial measure. With the separation of Burma and Aden from British India it is not possible now in the light of section 39 of the Civil Procedure Code to have reprocity in the matter of execution of decrees with those countries and Cochin. Proposals have been received from those countries through the Political Department for establishing such reciprocity and therefore, it has become necessary to achieve this

LIBRARY ARCHIVES Kerala Legislative Assembly

reciprocity by amending section 39. Therefore, the Civil Procedure Code has to be amended.

Mr. P. V. Raphael *(Joint Secretary to Government):* I beg to second it.

Motion put and carried

Secretary to the Council : The Title of the Bill is "The Cochin Code of Civil Procedure (Amendment) Bill ".

Mr. M. Sivarama Menon *(Advocate-General):* Sir, I move that the Hon'ble President may be pleased to suspend Standing Order 32 and the *Bill allowed to be taken into consideration.

Mr. P. V. Raphael *(Joint Secretary to Government)* I second it.

Deputy President : The S. O. is suspended.

Clause 1 put and carried

Clause 2 put and carried

The Title and preamble put and carried

Mr. M. Sivarama Menon *(Advocate-General):* I beg to move that the Bill be finally taken up and passed tomorrow.

Mr. P. V. Raphael *(Joint Secretary to Government):* I second it.

Motion put and carried

2. The Cochin Motor Vehicles Bill

Mr. K. Achyuta Menon *(Secretary to Government):* Sir, I rise to move that the Cochin Motor Vehicles Bill be read in Council.

Mr. P. V. Raphael *(Joint Secretary to Government):* I second it.

Motion put and carried

Mr. K. Achyuta Menon *(Secretary to Government):* The earliest Motor Act in this State was of the year 1089. That was found inadequate in a very short space of time and we had the existing Act which is of 1094. That was modelled on the lines of the British Act of 1914. So that the existing legislation on the matter is 22 years old in Cochin. The Indian Motor Vehicles Act of 1914 upon which our existing Act is based has been revised in British India and a very comprehensive piece of legislation, the Act of 1939, has been passed there. That has come into force from 1st July 1939 in British India. A grace period of 9 months more has been granted for the working of the Act. That will take us to March 1940. So that the Act is law there now. The Government of India

* Please see Appendix IV

LIBRARY ARCHIVES Kerala Legislative Assembly